IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 25th day of September 2007
Criminal Bail Application No. 1036 of 2007
Order on the Bail application of accused.
CRIMINAL SIDE

1. Smt. Mangshiri Devi W/o Sri Hukum Singh
2. Hukum Singh S/o Sri Kali Ram

Both R/o Vill. Than Barethi, Patti Bisht, P.S. Dharasu, Tehsil Chinyalisaur, Distt. Uttarkashi

Applicant (In Jail)

Versus

State of Uttarakhand ---------Opposite party

Arising out of Case Crime No.538 of 2007
U/Ss 498-A/304-B IPC & 3/4 Dowry Prohibition Act,
P.S. Dharasu, Tehsil Chinyalisaur Distt. Uttarkashi

Hon'ble Dharam Veer, J.

Sri Lokendra Dobhal, learned counsel for applicants has submitted that he does not want to press his bail application on behalf of Applicant No. 1 and the same may be dismissed as not pressed. In view of this, the bail application on behalf of Applicant No. 1 Smt. Mangshiri Devi is dismissed as not pressed.

Heard Sri Lokendra Dobhal, learned counsel for the applicant and Sri Prabhakar Joshi, learned brief holder for the State.

In brief, the prosecution case is that in the night of 20.8.2007, Smt. Lalita had died due to the ante-mortem injuries in her husband's house. For the same averments, the FIR was lodged by Vikram Singh Rawat, father of deceased Smt. Lalita on 22.8.2007 at 14:30 hours at P.S. Dharasu, Distt. Uttarakashi. Learned counsel for the applicant submitted that the present applicant is mother-in law and he is an old man suffering from various ailments. He further submitted that there is no specific allegation against him in the FIR and the allegation made against him is vague in nature. He further submitted that he is in jail since 24.8.2007.

Without expressing any opinion as to the final merits of the case, this Court is of the view, that the applicant deserves bail at this stage.

Let applicant No.2-Hukum Singh be released on bail on his executing personal bond and furnishing two sureties each of the like amount to the satisfaction of Chief Judicial Magistrate, Uttarkashi.

The bail application is disposed of accordingly.

25th September 2007: **(Dharam Veer, J.)**
Rajeev Dang